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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,026	01/31/2001	Robert D. Thompson	10008006-1	5499

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EXAMINER

LEFKOWITZ, SUMATI

ART UNIT

PAPER NUMBER

2189

6

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/773,026	THOMPSON ET AL.
	Examiner Sumati Lefkowitz	Art Unit 2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 30 September 2002.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 January 2001 is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.5.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. Claims 1-19 are pending.

### ***Specification***

2. The abstract of the disclosure is objected to because
  - it fails to mention that the lookup table results in a reduction of number of components and cost required to provide product IDs to USB devices, since the same lookup table can be implemented in numerous USB devices, with the product ID being selected from the lookup table to define/configure the USB device as a specific type of device (see last page of specification)

Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

3. Claim 11 is objected to because of the following informalities:

As to claim 11, in line 1, “8” should read –9—to provide antecedent basis for “said state of said pins”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 8, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsai et al., 6,192,420 (hereinafter Tsai).

a. As to claims 1, 8, and 14, Tsai discloses a USB device, comprising a lookup table in fixed (i.e., not removable) electronically readable medium comprising a plurality of product identification (i.e., PID) entries, an electronically readable index that selects one of the plurality of product identification entries and vendor identification (i.e., VID) information in fixed electronically readable medium (note abstract, column 1, line 39 – column 3, line 5 and column 4, line 62 – column 4, line 6).

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1, 2, 4-6, 8-10, and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bresemann et al., US 2003/0005274 A1 (hereinafter Bresemann) in view of what was well known in the art, as evidenced by Tsai et al., 6,192,420 (hereinafter Tsai).

As to claims 1, 2, 4-6, 8-10, and 12-19, Bresemann discloses a device comprising a lookup table (i.e., vendor identification information 124 in lookup table) in fixed (i.e., not removable) electronically readable medium comprising a plurality of vendor identification information entries, an electronically readable index that selects one of the vendor identification entries, wherein the electronically readable index is set by connections on a printed circuit board (note paragraph [0022], wherein the electronically readable index is set by the logic state of pins on an ic wherein those pins on the ic also have a function different from setting the electronically readable index (note paragraph [0033]), wherein the electronically readable index is set by connections internal to an ic also containing the lookup table, wherein the vendor id information comprises a vendor identification number and a vendor identification string (note paragraphs [0021, 0022, 0025, 0033-0034, 0041-0056].

Although Bresemann fails to disclose that the lookup table comprises indexed product identification information entries, since Bresemann does disclose indexed vendor identification entries for the purpose of allowing the same piece of silicon to report different vendor identification information to allow for a device to be supplied through multiple vendors or a device with multiple different configurations (note Bresemann, paragraph [0004]), it would have

been obvious to index any other information, such as product Ids, so as to similarly allow for a device to be supplied through multiple vendors or a device with multiple configurations.

Bresemann fails to disclose that the device comprises a USB device.

Examiner takes Official Notice that USB is well known in the art of peripheral devices, as exemplified by Tsai.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of a USB device in the system of Bresemann so as to maintain compatibility with the latest advancements in peripheral technology, USB, and take advantage of the many benefits of USB, including high speed, low cost, and hot pluggability.

8. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bresemann et al., US 2003/0005274 A1 (hereinafter Bresemann) in view of Baldwin et al., 5,042,265 (hereinafter Baldwin).

As to claims 3 and 11, Bresemann fails to discloses that the electronically readable index is set by jumper connections.

Baldwin discloses the use of jumpers as an index into a table (note column 6, line 44 – column 9, line 31) to configure a system to operate in one of a plurality of modes/states.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of jumpers to index a table in order to configure the operation of a system, as Baldwin teaches, in the system of Bresemann so as to allow for the flexible selection of one of a plurality of operation modes.

9. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambeth et al., 6,023,736 (hereinafter Lambeth) in view of what was well known in the art, as evidenced by Tsai et al., 6,192,420 (hereinafter Tsai).

As to claims 1 and 7, Lambeth discloses a device comprising a lookup table (i.e., vendor identification information 124 in lookup table) in fixed (i.e., not removable) electronically readable medium comprising a plurality of vendor identification information entries (i.e., inherent in use of PCI bus), an electronically readable index that selects one of the vendor identification entries, wherein the electronically readable fixed medium is a ROM (note column 6, line 65 – column 7, line 4).

Although Lambeth fails to disclose that the lookup table comprises indexed product identification information entries, since Lambeth does disclose indexed vendor identification entries for the purpose of allowing dynamic configuration of single-function and multi-function device adapters (note Lambeth, column 4, lines 26-41), it would have been obvious to index any other information, such as product Ids, so as to similarly for dynamic configuration of devices.

Lambeth fails to disclose that the device comprises a USB device.

Examiner takes Official Notice that USB is well known in the art of peripheral devices, as exemplified by Tsai.

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of a USB device in the system of Lambeth so as to maintain compatibility with the latest advancements in peripheral technology, USB, and take advantage of the many benefits of USB, including high speed, low cost, and hot pluggability.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, as the prior art teaches or suggests providing device specific configuration information to devices.

US PG-PUBS: US 2002/0133694 A1 Ray et al.

US Patents: 6,484,219 Dunn et al. 6,138,182 Hennessy et al.  
5,983,288 Visee

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumati Lefkowitz whose telephone number is 703-308-7790.

The examiner can normally be reached on Monday-Friday from 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached at 703-305-4815.

The fax phone numbers for the organization where this application or proceeding is assigned are:

703-746-7238	for After-Final communications
703-746-7239	for Official communications
703-746-5661	for Non-Official/Draft communications

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*Sumati Lefkowitz*

Sumati Lefkowitz  
Primary Examiner  
Art Unit 2189

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July 31, 2003